



Our Docket No.: 42390P4577

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Phillip E. Mattison)

Application No.: 09/307,574)

Filed: May 7, 1999)

For: Enhanced Photocell With)
Sample and Hold Amplifier)

Examiner: Luu, Thanh X.

Art Group: 2878

RESPONSE TO OFFICE ACTION

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

In response to the Office Action mailed on September 5, 2003, Applicant respectfully requests the Examiner to enter the following amendment and to consider the following remark.

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JAN 13 2004
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FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and that this paper or fee has been addressed to the Commissioner for Patents, Alexandria, VA 22313.

Date of Deposit: January 5, 2004.

Name of Person Mailing Correspondence: Krista Mathieson

Krista Mathieson
Signature

January 5, 2004
Date

01/09/2004 JBALINAN 00000047 09307574

01 FC:1251

110.00 OP

Docket No: 42390P4577
Application No.: 09/307,574



28784

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/307,574
		Filing Date	May 7, 1999
		First Named Inventor	Philip E. Mattison
		Art Unit	2878
		Examiner Name	Luu, Thanh X.
Total Number of Pages in This Submission	19	Attorney Docket Number	42390P4577

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Return Receipt Postcard, First Class Certificate of Mailing.</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mark C. Van Ness, Reg. No. 39,865 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	1/5/2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Krista Mathieson		
Signature		Date	1/5/04

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**FEE TRANSMITTAL FOR FY 2004**

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

Complete if Known:

Application No. 09/307,574Filing Date May 7, 1999First Named Inventor Phillip MattisonExaminer Name Luu, Thanh X.Art Unit 2878Attorney Docket No. 42390P4577 Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT** (check all that apply) Check Credit Card Money Order Other None X Deposit AccountDeposit Account Number : 02-2666Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman, LLP X The Director is Authorized to do the following with respect to the above-identified Deposit Account: Charge fee(s) indicated below. X Credit any overpayments. X Charge any additional fees during the pendency of this application. X Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged. Charge fee(s) indicated below except for the filing fee.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1001	770	2001	385	Utility application filing fee
1002	340	2002	170	Design application filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional application filing fee

SUBTOTAL (1) \$ 0.00RECEIVED
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TECHNOLOGY CENTER 2800**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

			Extra Claims	Fee from below	Fee Paid
Total Claims	<u>19</u>	- 27** =	<u>0</u>	<u>X \$18.00</u>	<u>= \$0.00</u>
Independent Claims	<u>4</u>	- 4** =	<u>0</u>	<u>X \$86.00</u>	<u>= \$0.00</u>
Multiple Dependent					<u>=</u>

****Or number previously paid, if greater; For Reissues, see below.**

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Larg Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>		
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	\$110.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814	55	Statutory Disclaimer	
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 110.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Mark C. Van NessSignature:  Date: 1/5/04Reg. Number: 39,865 Telephone Number: (303) 740-1980

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450